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July 27, 1998

VIA HAND DELIVERY

Magalie Salas, Esquire  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

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JUL 27 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: GEN Docket No. 98-68

Dear Ms. Salas:

Transmitted herewith are the original and five copies of the Comments of Iridium LLC in connection with the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate directly with the undersigned.

Very truly yours,

IRIDIUM LLC

Patricia A. Mahoney  
Assistant General Counsel  
Regulatory and Trade Policy

Enclosure

Patricia A. Mahoney  
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JUL 27 1998

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

1998 Biennial Regulatory Review --  
Amendment of Parts 2, 25 and 68 of the  
Commission's Rules to Further Streamline  
the Equipment Authorization Process for  
Radio Frequency Equipment, Modify the  
Equipment Authorization Process for  
Telephone Terminal Equipment, Implement  
Mutual Recognition Agreements and Begin  
Implementation of the Global Mobile Personal  
Communications by Satellite (GMPCS)  
Arrangements

ORIGINAL

GEN Docket No. 98-68

To: The Commission

COMMENTS

Iridium LLC ("Iridium") hereby respectfully submits its Comments on the Commission's Notice of Proposed Rule Making (NPRM), FCC 98-92, released May 18, 1998, in the above-captioned proceeding:

Iridium welcomes the Commission's timely action proposing to streamline its equipment authorization rules and procedures and to modify its processes to respond to international developments concerning equipment approvals. In particular, Iridium, which will commence providing the world's first truly global voice and paging MSS service to the public on September 23, 1998, supports the Commission's adoption of interim procedures for the approval of Global Mobile Personal Communications by Satellite (GMPCS) terminal equipment as another significant step toward the expeditious implementation of the GMPCS

Memorandum of Understanding (GMPCS-MoU) and its Arrangements. This action continues the Commission's leadership in the international GMPCS-MoU process and will serve to facilitate the rapid development and deployment of GMPCS services such as the Iridium "Big LEO" Mobile Satellite Service (MSS) system. The Commission's actions in this proceeding will send a positive signal to other Administrations that are now also considering how to implement the GMPCS Arrangements.

Iridium also supports the Commission's proposals for implementing the Mutual Recognition Agreement (MRA) between the U.S. and the European Commission and the MRA adopted by the Asia-Pacific Economic Cooperation (APEC). These MRAs complement the GMPCS-MoU and other U.S. efforts to promote the free circulation of telecommunications goods and services.

#### **I. THE INTERIM GMPCS EQUIPMENT APPROVAL PROCEDURES**

At the first International Telecommunication Union (ITU) World Telecommunication Policy Forum (WTPF), held in October 1996, over 800 delegates representing 128 Member States and 70 Sector Members met to consider the policy and regulatory issues raised by the introduction of GMPCS.

The Policy Forum produced five opinions, including

- Opinion 1, which invited national policy makers and regulators, GMPCS system operators, and service providers as well as users to work cooperatively within the ITU to facilitate the early introduction of GMPCS.

and

- Opinion 4, which adopted a draft GMPCS-MoU and encouraged Administrations, GMPCS operators, service providers, and manufacturers to sign the MoU and participate actively in its work.

The Policy Forum also recognized (21 months ago) in Opinion 4 that “some GMPCS systems are already in operation and that others will be brought into operation, as of 1998” and that “urgent action is, therefore, required to facilitate the free circulation of terminals.”

Subsequent to the WTPF, the GMPCS-MoU was finalized and adopted, the GMPCS-MoU Arrangements were adopted, and the ITU Council approved the proposed involvement of the ITU as reflected in the GMPCS-MoU and Arrangements. Over the last two years, Iridium, a signatory to the GMPCS-MoU, has worked closely with the GMPCS industry, with the U.S. Government and other Administrations, and with the ITU to achieve the objectives of the WTPF, including Opinion 4.

The adoption of the GMPCS-MoU and its Arrangements represents an unprecedented worldwide effort to facilitate the free circulation of GMPCS handsets across national borders. The next step requires the implementation of the GMPCS-MoU Arrangements by National Administrations. Swift implementation of the GMPCS-MoU Arrangements is crucial for the successful commencement of service by global satellite networks that will soon provide mobile telephone and data services to consumers worldwide.

Iridium applauds the Commission’s decision to move forward with a voluntary interim equipment certification process for GMPCS terminals. Iridium understands that the Commission will soon initiate a separate proceeding to implement the GMPCS-MoU Arrangements into its rules. Iridium looks forward

to actively participating in that proceeding<sup>1</sup> and urges the Commission to embark on the implementation proceeding as quickly as possible. Expeditious action will assist licensees to implement their systems and will demonstrate continued U.S. leadership in the promotion and implementation of global satellite networks.

Iridium seeks confirmation that the interim and proposed future certification procedures for mobile Earth terminals (METs) for GMPCS systems are voluntary and do not affect existing blanket licenses. Such blanket licenses were issued at a time when the Commission had no requirements for type approval of GMPCS terminals; thus, presumably the blanket license process included the technical information that will in the future be elicited in the new equipment approval process for GMPCS. Moreover, countries around the world have followed the U.S. and adopted blanket licensing for GMPCS terminals. While the NPRM, at 18, ¶45, indicates that the certification procedure is voluntary, the proposed rule, Section 25.200(a) includes text (e.g., “must be authorized”) that suggests that the procedure is mandatory.

With respect to the technical specifications proposed for systems operating in the 1610-1626.5 MHz band,<sup>2</sup> the NPRM states that, for terminals

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<sup>1</sup> Iridium notes that the GMPCS-MoU Arrangements do not require each Administration to adopt a type approval process for GMPCS terminals as the Commission contemplates or even to conduct such a formal proceeding. The Arrangements leave to the discretion of each Administration and/or Competent Authority to determine how it will implement the Arrangements and how it will assess conformity with essential technical requirements. Recognizing that many Administrations may look to what the FCC does in implementing the Arrangements, Iridium asks the Commission not to suggest in its actions that other Administrations must proceed as the FCC is doing.

<sup>2</sup> The NPRM focuses primarily on the GMPCS systems operating in the 1610-1626.5 MHz band (the Big LEOs), even to the point of addressing technical

operating in the band, interim approval will be further conditioned on the ability of METs to meet the strictest out-of-band emission limits – those that have been proposed by NTIA in its recently submitted Petition for Rule Making. The Commission must not deviate from this position.<sup>3</sup> The Commission also indicated that NTIA's Petition for Rule Making to amend Part 25 of the rules to incorporate additional limits to protect GNSS equipment operating within the 1559-1605 MHz radionavigation satellite service band will be addressed in a separate rule making proceeding.<sup>4</sup>

## **II. IMPLEMENTATION OF MUTUAL RECOGNITION AGREEMENTS**

Iridium strongly urges the Commission to adopt proposed rules and procedures for implementing the MRA between the U.S. and the European Commission (US/EC MRA) and the APEC MRA. The Commission's prompt implementation of the US/EC MRA is necessary to effectuate the MRA with respect to telecommunications equipment. Implementation of both MRAs is consistent with the Commission's proposals to streamline its equipment authorization processes.

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specifications only for terminals operating in that band. Yet GMPCS includes other satellite systems and services, existing and proposed, operating in other bands, including the Little LEOs, other mobile satellite services, and the broadband systems.

<sup>3</sup> As the Commission is aware, Motorola has already agreed to adopt and has built terminals to comply with the most stringent out-of-band emission limits proposed by NTIA, as reflected in the blanket license issued by the Commission for Iridium system handsets.

<sup>4</sup> Iridium is aware that LSC, Inc., in early-filed comments submitted in the instant proceeding, seeks to modify these proposed limits. Iridium will address the LSC, Inc. Comments in Iridium's Reply Comments.

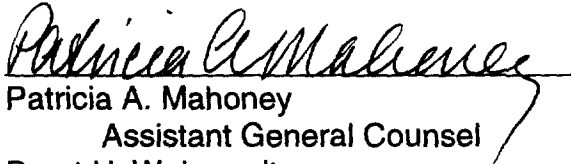
The MRA process also serves as a complementary procedure to the GMPCS-MOU. While MRAs do not attempt to adopt a globally agreed to set of core technical standards for a transmitting device, MRAs do facilitate the free circulation of telecommunications equipment by removing impediments to exporting telecommunications products. As such, MRAs facilitate the development and deployment of GMPCS services and foster global agreements such as the GMPCS-MoU.

### III. CONCLUSION

Iridium supports the Commission's actions to implement the GMPCS-MoU Arrangements on an interim basis and its proposals to implement MRAs. Iridium looks forward to the Commission's expeditious implementation of the GMPCS-MoU Arrangements through the upcoming rulemaking proceeding.

Respectfully submitted,

IRIDIUM LLC

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July 27, 1998

## CERTIFICATE OF SERVICE

I, Helena Falla, an employee of Iridium LLC, do hereby certify that on this 27th day of July, 1998, a copy of the foregoing Comments was served upon the following via U.S. First Class Mail, postage prepaid:

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